

**UNITED STATES DISTRICT
SOUTHERN DISTRICT OF NEW YORK**

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JENNIFER BERKELEY CARR,

Plaintiff,

-against-

**NEW YORK CITY TRANSIT AUTHORITY, MARVA
BROWN AND DAVID CHAN,**

Defendants.

NOTICE OF MOTION

Docket No. 16-CV-09957

(DAB)

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P E R S O N S:

PLEASE TAKE NOTICE that upon the annexed Declaration of Mariel A. Thompson, Esq. executed on March 7, 2019, and the Memorandum of Law dated March 7, 2019, and upon all papers filed herein, a motion will be made by Defendants to this Court, the Honorable Deborah A. Batts presiding, at the courthouse located at 40 Foley Square, New York, NY, 10007 on the 30th day of May, 2019 at 10:00 o'clock in the forenoon or as soon thereafter as counsel can be heard for judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure, granting summary judgment in favor of the Defendants and dismissing the complaint in its entirety on the grounds that there is no genuine issue of fact in this case that would warrant a trial, and that Plaintiff has not and cannot establish colorable claims under the ADEA, Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Sections 2000e et seq., ("Title VII"), and 42 U.S.C. Sections 1981 and 1983 et seq., and for such other and further relief as this Court may deemed just and proper.

PLEASE TAKE FURTHER NOTICE that that pursuant to this Court's Order dated January 23, 2019, answering papers, if any, must be within forty-five (45) days of service of these moving papers.

Dated: Brooklyn, New York
March 7, 2019

Respectfully submitted,

JAMES B. HENLY
Vice President & General Counsel
Attorney for Defendants
130 Livingston Street, Rm. 1212
Brooklyn, New York 11201
(718) 694-3893

By: /s/Mariel A. Thompson
MARIEL A. THOMPSON
Executive Agency Counsel
of Counsel

To: Gregory G. Smith, Esq.
Attorney for the Plaintiff
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JAMES B. HENLY
Vice President & General Counsel
NEW YORK CITY TRANSIT AUTHORITY
Attorney for Defendants
130 Livingston Street
Room 1212 – Mariel A. Thompson, Esq.
Brooklyn, New York 11201
(718) 694-3893

To:
Attorney(s) for

Service of a copy of the within

is hereby admitted.

Dated: , 2016

Attorney(s) for
